

BEFORE THE BOARD OF ZONING ADJUSTMENT, D. C.

Application No. No. 12118, of R. Roderick Shehyn , pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under paragraph 3104.44 to permit the continuation of a parking lot in the R-5-B district at the premises 2101 N Street, N.W. and 1304 - 21st Street, N.W. (Square 69, Lot 824).

HEARING DATE: March 31, 1976

DECISION DATE: May 3, 1976

FINDINGS OF FACT:

1. The property is located in an R-5-B district.
2. The subject property is improved with a residential building as well as a parking lot. The parking lot was previously approved by the Board in Case No. 10618, by a Order dated January 7, 1971. Certificate of occupancy No. B-77023 was issued to cover the parking lot.
3. The lot is lined to accommodate 14 cars, without an attendant. The spaces are rented to residents of the area on a monthly basis for all-day, all-night use.
4. Both entrances to the parking lot are chained so as to prevent unauthorized use of the lot.
5. The Municipal Planning Office, by report dated March 12, 1976, recommended approval of the application as in compliance with the conditions of the Board's previous Order and the requirements of the Zoning Regulations.
6. The Department of Transportation, by report dated March 12, 1976, had no objections to continued use of this lot for parking.
7. There was support for the continued use of the lot from residents in the area, who stated that it provided a neighborhood service.
8. There was opposition from the Dupont Circle Citizens Association and other individuals on the basis that the lot is used for commuter or commercial parking.
9. The applicant submitted a list of fourteen present tenants. The Board finds that twelve of the fourteen live in the immediate vicinity.

CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the existing and proposed use of the property complies with all of the requirements of the Board's previous order and the Zoning Regulations. Based on the report of the MPO and DOT, the Board concludes that the use will not create dangerous or otherwise objectionable traffic conditions, that the present character and future development of the area will not be adversely effected and

that the use is reasonably necessary and convenient to other uses in the vicinity. It is therefore Ordered that this application be, GRANTED subject to the following conditions:

1. The applicant shall relocate the chains across the drive-ways from the sidewalk line to the property line.
2. The approval shall be for a period of five (5) years.
3. The applicant shall continue to comply with all of the conditions of the Board's Order in Case No. 10618.

VOTE: 3-0 (Martin Klauber, Leonard L. McCants & William F. McIntosh to GRANT, Lilla Burt Cummings and William S. Harps not voting, not having heard the case).

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

Attested By: \_\_\_\_\_

*Steven E. Sher*

STEVEN E. SHER

Acting Secretary to the Board

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

FINAL DATE OF THIS ORDER: MAY 21 1976